

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A pouring device for use with a bottle having a liquid therein, comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion terminating at a first end, and an upper portion terminating at a second end,

the lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the bottle and

the upper portion having a length, a height and a substantially circular interior cross-sectional shape and disposed adjacent the lower portion for extending above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle;

a filter including a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire substantially circular cross section of the cylindrical body;

an air passageway disposed adjacent to the internal periphery of said lower portion and extending longitudinally beyond the length of said lower portion in a direction away from said upper portion along the internal periphery of said cylindrical body, a portion of the air passageway ~~being integrally formed with and at least coextensive with~~ overlapping the whole length of said filter in the longitudinal direction, the air passageway and the filter being comprised in a unitary body; and

a visual indicator disposed on an outer surface of said upper portion for identifying the relative angular location of said air passageway with respect to said visual indicator;

the cylindrical body extending above and surrounding the uniformly disposed apertures and the air passageway such that the shape of the upper portion is adapted to permit sealing the liquid in the bottle from the atmosphere

by a cylindrical longitudinal extent of a cap insertable into the interior of the upper portion to close both the apertures of the filter and the air passageway to the atmosphere.

2. (Currently Amended) The device of claim 1 wherein said visual indicator is positioned ~~on~~ adjacent the second end and on the upper portion of said cylindrical body.

3. (Currently Amended) The device of claim 1 wherein said visual indicator comprises a V-shaped pouring spout located on the upper portion.

4. (Canceled)

5. (Previously Presented) The device of claim 3 wherein said spout comprises a mouth extending outwardly past the cylindrical body and having a slope of about 50 degrees relative to said cylindrical body.

6. (Canceled)

7. (Original) The device of claim 1 wherein said visual indicator comprises a protuberance.

8. (Canceled)

9. (Original) The device of claim 1 wherein said visual indicator comprises a marking having a color different from the color of said cylindrical body.

10. (Previously Presented) The device of claim 3 wherein said visual indicator is angularly spaced from said air passageway by at least 120°.

11. (Previously Presented) The device of claim 10 wherein said visual indicator is angularly spaced from said air passageway about 180°.

12. (Previously Presented) The device of claim 3 wherein the plurality of apertures each have an interior cross-sectional dimension of about 0.04 inches or less, and wherein said filter is disposed within and integrally formed within said cylindrical body.

13. (Original) The device of claim 12 wherein the filter is of the same material as the cylindrical body.

14. (Currently Amended) The device of claim 3 further comprising an integrally attached cap insertable at the second end in sealing engagement with the interior of the ~~second end~~ upper portion of said cylindrical body, said attached cap having a cylindrical overlapping longitudinal extent that overlaps with the second end when in sealing engagement ~~therewith~~ with the interior of the upper portion, said attached cap being attached to an upper portion of said cylindrical body by a strand of flexible material extending from the cylindrical body to the cap, and wherein the spout has a longitudinal extent less than the overlapping longitudinal extent of the attached cap, the strand extending from the upper portion of the cylindrical body being the visual indicator for identifying the relative angular location of said air passageway.

15. (Currently Amended) The device of claim 14 ~~wherein a portion of the cap is insertable into the interior of the second end of the cylindrical body~~, further comprising an integral circumferential sealing ring on one of the cap and the interior of the cylindrical body and, on the other of the cap and cylindrical body, a circumferential sealing groove complementary to the sealing ring, the spout being located above the circumferential sealing ring and groove when the cap is inserted into the interior of the upper portion to align the circumferential sealing ring and groove.

16. (Original) The device of claim 15 wherein the circumferential sealing ring is on the cap.

17. (Currently Amended) The device of claim 14 wherein the cap is integrally attached to said cylindrical body by a flexible, longitudinally elongated, cylindrical strand of material having an at least substantially uniform and at least substantially circular cross section, extending from the cylindrical body to the cap at a predetermined location on the circumference of the cylindrical body and ~~angularly spaced at least about 120° from the spout.~~

18. (Currently Amended) A method of pouring a liquid from a bottle comprising:

inserting a pouring device into a bottle, said pouring device comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end,

the lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the bottle and

the upper portion having a length and a substantially circular interior cross-sectional shape and disposed adjacent the lower portion for extending above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle;

a filter including a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire substantially circular cross section of the cylindrical body;

an air passageway disposed adjacent to the internal periphery of said lower portion and extending longitudinally beyond the length of said lower portion in a direction away from said upper portion along the internal periphery of said cylindrical body, a portion of the air passageway ~~being integrally formed with and at least coextensive with~~ overlapping the whole length of said filter in the longitudinal direction, the air passageway and the filter being comprised in a unitary body; and

a visual indicator disposed on an outer surface of said upper portion for identifying the relative angular location of said air passageway with respect to said visual indicator;

the cylindrical body extending above and surrounding the uniformly disposed apertures and the air passageway such that the shape of the upper portion is adapted to permit sealing the liquid in the bottle from the atmosphere by a cylindrical longitudinal extent of a cap insertable into the interior of the upper portion to close both the apertures of the filter and the air passageway to the atmosphere;

verifying a location on said cylindrical body of said visual indicator and the relative location of said air passageway relative to said visual indicator;

orienting the bottle so that when the bottle is tilted in a downward direction for pouring the air passageway will be in a relatively upward facing position; and

pouring contents from said bottle by tilting the bottle in the downward direction such that the air passageway of said bottle stopper device is maintained in a relatively upward facing position.

19. (Previously Presented) The method according to claim 18 wherein the verifying a location on said cylindrical body includes verifying the location of a spout.

20. (Currently Amended) A method for manufacturing a pouring device for use with a bottle comprising:

integrally forming the pouring device by:

forming a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end;

forming the lower portion with a length, the lower portion adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;

forming the upper portion with a length and a substantially circular interior cross-sectional shape and disposing the upper portion adjacent the lower portion such that the upper portion extends above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle;

forming the cylindrical body with a filter including a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire substantially circular cross section of the cylindrical body;

forming an air passageway disposed adjacent the internal periphery of said lower portion and extending longitudinally along substantially at least the length of said lower portion and along the internal periphery of said cylindrical body, a portion of the air passageway being integrally formed with and at least coextensive with said filter in the longitudinal direction;

forming a visual indicator disposed on an outer surface of said upper portion for identifying the relative angular location of said air passageway with respect to said visual indicator;

integrally forming a cap having a cylindrical longitudinal extent adapted to be inserted into the lower portion to seal both the air passageway and the apertures of the filter to the atmosphere and a longitudinally elongated strand of flexible material that are connected to the upper portion of the cylindrical body by the strand; and

integrally forming a V-shaped spout connected to the upper portion of the cylindrical body and wherein the strand is ~~a longitudinally~~ an elongated cylindrical strand and is connected to the body at a location angularly spaced from the spout.

21. (Previously Presented) The method according to claim 20 wherein forming said visual indicator includes providing the spout.

22. (Previously Presented) The device of claim 1 wherein said air passageway is substantially encircled by said plurality of apertures.

23. (Previously Presented) The method according to claim 18 wherein said air passageway is substantially encircled by said plurality of apertures.

24. (Previously Presented) The method according to claim 20 wherein said air passageway is substantially encircled by said plurality of apertures.

25. (Previously Presented) The method of claim 20 wherein the radial spacing of the strand from the spout is 180° .

26. (Previously Presented) The method of claim 20 wherein the radial spacing of the strand from the spout is 90° .

27. (Previously Presented) The method of claim 20 wherein the radial spacing of the strand from the spout is 120° .

28. (Previously Presented) The device of claim 17, wherein:
the air passageway is angularly spaced 180° from the spout;
the strand is attached to the cylindrical body at a first end of the strand at a location angularly spaced 180° from the spout;
the strand is attached to the cap at a second end of the strand;
when the cap is inserted in sealing engagement with the interior of the second end of the cylindrical body, the first and second ends of the strand are spaced apart from each other a distance of about the height of the upper portion in a generally longitudinal direction; and
when liquid is poured from a bottle in which the device is inserted, the strand is of sufficient thickness and rigidity to prevent the strand and cap from hanging in the path where liquid is being poured from the bottle.

29. (Previously Presented) The method of claim 20, wherein:
the strand is attached to the cylindrical body at a first end of the strand;
the strand is attached to the cap at a second end of the strand;
when the cap is inserted in sealing engagement with the interior of the second end of the cylindrical body, the first and second ends of the strand are spaced apart from each other in a generally longitudinal direction with respect to

the cylindrical body, and the strand extends in a generally circular arc from the first end of the strand to the second end of the strand.

30. (Previously Presented) The method of claim 20 wherein the spout has a rim that lies at least substantially in a horizontal plane; and

the cap further including a radially extending, generally planar tab adapted to overlap the rim of the spout to close the spout to the atmosphere when the cap is inserted in sealing engagement with the interior of the second end of the cylindrical body.

31. (Previously Presented) The device of claim 28, the height of the upper portion being about 0.75 inch.

32. (Previously Presented) The method of claim 20, the strand having an at least substantially uniform and at least substantially circular cross section.

33. (Previously Presented) The device of claim 1, the lower portion further adapted to be inserted in a longitudinal direction into the opening of a wine bottle and further comprising a circumferential sealing ring adapted to deform to provide sealing engagement with the wine bottle.

34. (Previously Presented) The method of claim 20, further comprising forming the entire device by injection molding.

35. (Currently Amended) The method of claim 20, further comprising forming on the lower portion a first circumferential sealing ring adapted to be deformed to provide sealing engagement with the interior of a wine bottle when the device is inserted into the wine bottle.

36. (Currently Amended) The method of claim 35, further comprising forming on the lower portion a ~~plurality of~~ second circumferential sealing ring

adapted to be deformed to provide sealing engagement with the interior of a wine bottle when the device is inserted into the wine bottle, the second circumferential sealing ring longitudinally spaced apart from the first circumferential sealing ring rings as in claim 35.

37. (Previously Presented) The method of claim 20, further comprising forming on the cylindrical body a circumferential shoulder adapted to abut the top edge of a wine bottle into which the lower portion is inserted to visually indicate that the lower portion is inserted into the wine bottle.

38. (New) The method of claim 30, the rim of the spout being at least substantially coplanar with the second end, further comprising forming on the cap a circumferential shoulder at least substantially coplanar with the tab, the circumferential shoulder overlapping the second end when the tab overlaps the rim of the spout to close the second end to the atmosphere.

39. (New) The device of claim 14 wherein the cap is integrally attached to the cylindrical body.

40. (New) The device of claim 39 wherein the cap is integrally attached to the cylindrical body by a flexible, elongated, cylindrical strand of material

41. (New) The device of claim 17 wherein the attachment of the cylindrical strand at a predetermined location on the cylindrical body.

42. (New) The device of claim 17 wherein the predetermined location is angularly spaced at least about 120° from the spout.